## Ohio EPA 6/21/2021 Entered Directors Journal



Mike DeWine, Governor John Husted, Lt. Governor Laurie A. Stevenson, Director

June 21, 2021

Mr. Harold DeStefanis ScrapCom 4310 Sir Robert Avenue North Royalton, OH 44133 RE: ScrapCom

Plan Approval

RCRA C - Hazardous Waste

Cuyahoga County OHD980681571

Subject: Final Closure Acknowledgement and Post Closure Plan Approval;

ScrapCom; OHD 981 681 571

Dear Mr. DeStefanis:

On March 17, 2021, Partners Environmental Inc., on behalf of ScrapCom Real Estate Holdings Ohio LTD (ScrapCom), submitted to the Ohio Environmental Protection Agency (Ohio EPA) a Closure Certification Report dated March 16, 2021 and a Post-Closure Plan dated March 2, 2021 for the former North East Chemical Corporation (NECC) located at 3301 Monroe Avenue, Cleveland, Ohio.

Final closure certification documents received from Partners on behalf of ScrapCom certify that the hazardous waste management units at the former NECC were closed according to the specifications in the approved closure plan last amended on October 2, 2020. Based on the review the Closure Certification Report, Ohio EPA has determined that ScrapCom has closed the hazardous waste management units at the former NECC facility according to the approved amended Closure Plan and the substantive requirements of Ohio Administrative Code (OAC) rules 3745-55-11 through 3745-55-15.

A Post-Closure Plan was submitted pursuant to the October 30, 2019 Director's Final Findings and Orders (DFFOs) in order to demonstrate that ScrapCom's proposal for post closure complies with the administrative requirements of OAC Chapters 3745-65 and 3745-66 and the substantive requirements of OAC Chapters 3745-54 and 3745-55 and OAC 3745-56-28 including but not limited to the ground water protection program in accordance with OAC 3745-54-90 through 54-101.

The owner or operator and the public were given the opportunity to submit written comments regarding the Post-Closure Plan in accordance with the hazardous waste rule requirements. No public comments were received by Ohio EPA.

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Based upon review of ScrapCom's submittal, I conclude that the Closure Certification Report meets the requirements of OAC 3745-55-11 through 3745-55-15 and that the Post-Closure Plan for the former hazardous waste facility at 3301 Monroe Avenue, Cleveland, Ohio, complies with the administrative requirements of OAC Chapters 3745-65 and 3745-66 and the substantive requirements of OAC Chapters 3745-54 and 3745-55 and OAC 3745-56-28 including but not limited to the ground water protection program in accordance with OAC 3745-54-90 through 54-101.

The Post-Closure Plan submitted to the Ohio EPA on March 17, 2021 is hereby approved.

Compliance with the approved Post-Closure Plan is expected. Ohio EPA will monitor such compliance. Ohio EPA expressly reserves the right to take action, pursuant to Chapters 3734. and 6111. of the Ohio Revised Code, and other applicable law, to enforce such compliance and to seek appropriate remedies in the event of noncompliance with the provisions and modifications of this approved plan. Please be advised that approval of this Post-Closure Plan does not release ScrapCom from any responsibilities regarding corrective action for all releases of hazardous waste or constituents from any waste management unit, regardless of the time at which waste was placed in the unit.

You are hereby notified that this action of the director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within 30 days after notice of the director's action. The appeal must be accompanied by a filing fee of \$70.00 (made payable to "Ohio Treasurer of State") which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the director within three days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission 30 East Broad Street, 4<sup>th</sup> Floor Columbus, Ohio 43215

When post-closure is completed, OAC rule 3745-55-20 requires the owner or operator of a facility to submit to the Director of Ohio EPA certification by the owner or operator and a qualified professional engineer that the facility has completed the post-closure care period in accordance with the approved Post-Closure Plan. The certification by the owner or operator shall include the statement found in OAC rule 3745-50-42(D). These certifications should be submitted to:

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Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn: Erik Hagen, ERAS

A copy should also be sent to:

Ohio Environmental Protection Agency
Division of Environmental Response and Revitalization
Northeast District Office
2110 East Aurora Road
Twinsburg, Ohio 44087
Attn: Pam Korenewych

If you have any questions about implementing the approved Post-Closure Plan, contact Pam Korenewych via email at <a href="mailto:Pam.Korenewych@epa.ohio.gov">Pam.Korenewych@epa.ohio.gov</a>, or at (330) 963-1237.

Sincerely,

Laurie A. Stevenson

Director

LAS/sc

ec: Erik Hagen, Manager, Ohio EPA, DERR, CO

Mitch Mathews, Manager, Ohio EPA, DERR, CO

Don Vogel, Ohio EPA, DERR, CO

Natalie Oryshkewych, Ohio EPA, DERR, NEDO

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